



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/697,206	10/26/2000	Daniel E. H. Afar	G&C 129.21-US-U1

22462
 GATES AND COOPER
 HOWARD HUGHES CENTER
 6701 CENTER DRIVE WEST SUITE 1050
 LOS ANGELES, CA 90045

FORMALITIES LETTER



OC000000005649006

Date Mailed: 01/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Daniel E.H. Afar & Arthur B Raitano
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason (s):
 - A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
- - For Technical Assistance, call (703) 287-0200
- - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 65.

09697206
 05/05/2001 1500494
 65.00 CH
 01 FC:205

*A copy of this notice **MUST** be returned with the reply.*

Attn: T6

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Due Date: June 2, 2001

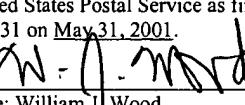
Section
Box Seof

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel E.H. Afar et al. Examiner: Not yet assigned
Serial No.: 09/697,206 Group Art Unit: 1645
Filed: October 26, 2000 Docket: G&C 129.21-US-U1
Title: NOVEL GENE UPREGULATED IN CANCERS OF THE PROSTATE

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on May 31, 2001.

By: 
Name: William J. Wood

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

We are transmitting herewith the attached:

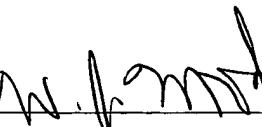
- Transmittal sheet, in duplicate, containing a Certificate of Mailing under 37 CFR 1.8.
- Petition for Extension of Time under 37 C.F.R. 1.136 for 3 months.
- PTO-2038 Credit Card Payment Form for the amount of \$445.00 for the Extension Fee is enclosed herewith.
- Signed Combined Declaration and Power of Attorney.
- Form PTO-1533 – Part 2 – Notice to File Missing Parts of Application.
- PTO-2038 Credit Card Payment Form for the amount of \$65.00 for the Surcharge Fee is enclosed herewith.
- Computer readable and paper form of SEQUENCE LISTING. Applicants state that the contents of the paper copy form of the SEQUENCE LISTING section of the present application, and the computer readable form submitted herewith, are the same.
- Return postcard.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

CUSTOMER NUMBER 22462.

GATES & COOPER LLP
Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, CA 90045
(310) 641-8797

By: 
Name: William J. Wood
Reg. No.: 42,236
WJW/sjm

(PTO TRANSMITTAL - GENERAL)



#1655

Please type a plus sign (+) inside this box → [+]

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/565,241
		Filing Date	May 3, 2000
		First Named Inventor	HOGAN et al.
		Group Art Unit	1655
		Examiner Name	D. Johannsen
Total Number of Pages in This Submission		Attorney Docket No.	
		GP111-02.UT	

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Debit Deposit Account - 07-0835 <input checked="" type="checkbox"/> Amendment / Response - <u>9</u> pgs. <input checked="" type="checkbox"/> Marked-up Version of Claims <u>3</u> pgs. <input checked="" type="checkbox"/> Ext. of Time Request - <u>3</u> Mo. - <u>1</u> pg. <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Stamped/Return Postcard	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <u> </u> Sheets <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip <i>(PTO/SB/69) and Accompanying Petition</i> <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s)/Comments <i>(Please identify below):</i>
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Remarks/Enclosures:

The Commissioner is hereby authorized to debit Deposit Account No. 07-0835 the 3 month extension of time fee due (\$890.00). No claim fees are believed due. However, if Applicants are in error and claims fees and/or any further fees are due, please debit Applicant's Deposit Account the appropriate amount.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	GEN-PROBE INCORPORATED
Signature	
Date	May 29, 2001

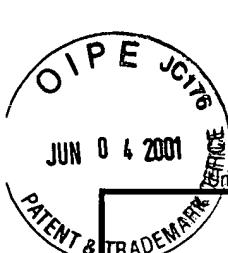
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

Type or printed name	Michael J. Gilly
Signature	
	Date
	May 29, 2001

+

SEND TO: Commissioner for Patents, Washington, D.C. 20231



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 890.00)

Complete if Known	
Application Number	GP111-02 UT
Filing Date	May 3, 2000
First Named Inventor	HOGAN et al.
Group Art Unit	1655
Examiner Name	D. Johannsen
Attorney Docket No.	GP111-02.UT

METHOD OF PAYMENT (check one)

1. [X] The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account No.

07-0835

Deposit Account Name

Gen-Probe Incorporated

[X] Charge any additional fee required under 37 CFR 1.16 and 1.17

2. [] Payment Enclosed: [] Check

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Filing Fee Description	Fee Paid
101	710	Utility	
106	320	Design	
114	150	Provisional	
108	710	Reissue	

SUBTOTAL (1)

\$ 0.00

2. EXTRA CLAIM FEES

Currently Pending	Already Paid For	Fee From Below	Fee Paid
Total Claims	30	52	x 0.00
Ind. Claims	06	03	x 0.00

Multiple. Dependent

Large Fee Code	Entity Fee (\$)	Filing Fee Description
103	18	Claims in excess of 20
102	80	Independent claims in excess of 3
104	270	Multiple dependent claim, if not paid
109	80	**Reissue independent claims over original patent
110	18	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

\$ 0.00

3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Description	Fee Paid
105	130	Surcharge - late filing fee or oath.....	
127	50	Surcharge - late provisional filing fee or cover sheet.....	
139	130	Non-English specification	
147	2,520	Filing a request of <i>ex parte</i> reexamination	
112	920*	Requesting publication of SIR prior to Examiner action...	
113	1,840*	Requesting publication of SIR after Examiner action.....	
115	110	Extension for reply within first month	
116	390	Extension for reply within second month	
117	890	Extension for reply within third month	890.00
118	1,390	Extension for reply within fourth month	
128	1,890	Extension for reply within fifth month	
119	310	Notice of Appeal	
120	310	Filing a brief in support of an appeal	
121	270	Request for oral hearing	
138	1,510	Petition to institute a public use proceeding	
140	110	Petition to revive - unavoidable	
141	1,240	Petition to revive - unintentional	
142	1,240	Utility issue fee (or reissue).	
143	440	Design issue fee.....	
144	600	Plant issue fee.....	
122	130	Petitions to the Commissioner	
123	130	Petitions related to provisional applications.....	
126	180	Submission of Information Disclosure Statement.....	
581	40	Recording each patent assignment per property (Times number of properties / _____ applicants).....	
146	710	Submission after final rejection (37 CFR § 1.129(a)).....	
149	710	Each add'l invention to be examined (37 CFR § 1.129(b)).....	
179	710	Request for Continued Examination (RCE).....	
169	900	Request for expedited examination - design application..	

Other fee (specify)

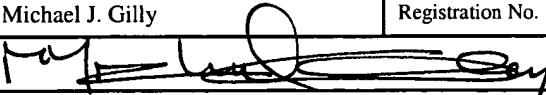
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$ 890.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Michael J. Gilly	Registration No.	42,579	Telephone	(858)410-8657
Signature				Date	May 29, 2001